

EXAMINER'S AMENDMENT

An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicants, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's Amendment was given in a telephone interview with John M. Genova on May 17, 2010.

ABSTRACT: The last 2 words in the Abstract, "and asthma" are deleted.

CLAIMS: Claims 19-23 are canceled.

REASONS FOR ALLOWANCE

Applicants Amendment filed February 17, 2010 is acknowledged. Claims 15-28 are pending. Claims 19-23 remain withdrawn from consideration, as drawn to non-elected inventions.

An Information Disclosure Statement filed December 17, 2009 is further acknowledged and has been reviewed.

Amendments to the specification and a new Abstract are noted.

Those rejections set forth in the last Office Action are hereby withdrawn.

Applicants' Request to withdraw the Election of Species Requirement has been granted. The Restriction Requirement as set forth on May 16, 2007 is maintained. The Election of Species Requirement is withdrawn. The search has been extended to include the genus of compounds that include metabotropic glutamate receptor 5

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antagonists in methods of treating gastroesophageal reflux disease and regurgitation of gastric juice, as well as methods of inhibiting transient lower esophageal sphincter relaxations (TLESRs) and reflux of gastric juice.

The closest prior art appears to be Martin et al., Abstract, presented at the Neurogastroenterology & Motility Conference, and cited on the Information Disclosure Statement filed June 28, 2007. Martin suggests therapeutic application in gastroesophageal reflux disease may follow his findings that selective inhibitory modulation of peripheral mechanosensory endings by group II mGLUr has relevance to strategies for elective reduction of input to the central nervous system from gastroesophageal mechanoreceptors. However, Martin fails to teach the specific molecular/pharmacologic subtype mGLUr 5 and antagonists thereto.

Accordingly, instant claims 15-18 and 24-28 are allowed in view of the contemporary knowledge of the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phyllis G. Spivack whose telephone number is 571-272-0585. The examiner can normally be reached on 10:30 AM-7 PM.

If attempts to reach the examiner by telephone are unsuccessful after one business day, the Examiner's supervisor, Ardin Marschel, can be reached on 591-272-0718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Phyllis G. Spivack/

May 18, 2010

Primary Examiner, Art Unit 1614